

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

NEW YORK STATE TEAMSTERS COUNCIL HEALTH  
AND HOSPITAL FUND, by its Trustees, John Bulgaro,  
Gary Staring, Ronald G. Lucas, Daniel W. Schmidt,  
Michael S. Scalzo, Sr. and Fredrick J. Carter,

STIPULATION AND  
ORDER OF  
DISCONTINUANCE

Plaintiffs,

5:09-CV-00160 (NAM)(DEP)

-vs-

GEORGE C. MILLER BRICK CO., INC.,

Defendant.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all the parties to the above-captioned action, that none of the parties is an infant or an incompetent and that the above-captioned action be and the same is hereby dismissed with prejudice.

**PARAVATI, KARL, GREEN & DEBELLA**

**GATES & ADAMS, P.C.**

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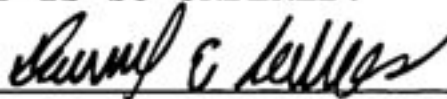
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DATED: May \_\_, 2009

IT IS SO ORDERED:



David E. Peebles

U.S. Magistrate Judge

Dated: June 30, 2009

Syracuse, NY